

REMARKS/ARGUMENTS

This amendment responds to the office action dated October 3, 2007.

The Examiner rejected claims 1, 6, 7, 9, and 12 under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. The Examiner contends that the disclosure does not describe the limitation of “each of said plurality of segments represented by a bounded spatial region on said *first* portion of said display” and does not “describe the relationship between the first portion, the second portion and the bounded spatial region.” The recitation in independent claim 1 that the plurality of segments be represented by a bounded spatial region on the first portion of the display was a clerical error. Claim 1 has been amended to recite that “each of said plurality of segments [is] represented by a bounded spatial region on said *second* portion of said display” (emphasis added). This limitation is disclosed by FIGS 5-15 of the present application and the portions of the specification supporting these figures. Therefore, the applicant respectfully requests that the Examiner’s rejection of these claims under 35 U.S.C. § 112 be withdrawn.

The Examiner rejected claim 11 under 35 U.S.C. § 112, first paragraph, contending that the specification failed to disclose a user-moveable scroll bar. The specification, however, clearly discloses on page 7 line 31 to page 8 line 11 a user-selectable indicator 56, shown in the drawings as a bar, and by which the user may scroll through the content of a segment that the bar passes through. The specification also clearly discloses respective strong, mild, and weak sense modes for the user-selectable scroll bar, which each correspond to a respective functionality for whether the system automatically snaps the scroll bar to the beginning of a segment selected by the user-selected scroll bar. Therefore, contrary to the Examiner’s assertion, the specification fully describes the subject matter claimed in dependent claim 11, and the applicant therefore respectfully requests that the Examiner’s rejection of this claim be withdrawn.

The Examiner rejected all presented claims under 35 U.S.C. § 103(a) as being unpatentable over the combination of Christel, “Adjustable Filmstrips and Skims as Abstractions for a Digital Video Library” IEEE Advances in Digital Libraries Conference, May 1999 (hereinafter Christel), in view of Vasconcelos et al., “Bayesian Modeling of Video Editing and Structure: Semantic Features for Video Summarization and Browsing”(hereinafter Vasconcelos)

and in further view of Ahmad et al., U.S. Patent No. 6,880,171 (hereinafter Ahmad). The Examiner's rejection renews that which was made in a prior office action, yet fails to address the *specific* remarks made by the applicant in a subsequent RCE, instead ostensibly responding to generalized mischaracterizations of applicant's arguments. In addition, the Examiner has failed to properly cite to any portion of a prior art reference disclosing limitations added by amendment in that RCE.

First, with respect to independent claim 1, the applicant had previously added by amendment limitations of a "graphical user interface on a second portion of said display, said interface sequentially indicating the relative location of each of said plurality of segments within said summarization relative to at least one other of said segments as each of said plurality of segments is displayed, *each of said plurality of segments represented by a bounded spatial region on said . . . display*", "receiving from said user, by interaction with said graphical user interface, a selection of one of *said* plurality of segments", and "in response to said selection, presenting a selected one of *said* plurality of segments and not presenting at least one other of *said* plurality of segments." The Examiner's rejection of this claim, as well as its dependent claims, is premised on an improper "bait-and-switch" line of reasoning. Christel discloses a user interface for a video summary that presents, in two separate bars or lines, locations of individual frames matching a query, and segments generated around those matching frames using a user-input compression ratio." Thus, as correctly noted by the Examiner, this latter bar shows a "plurality of segments [each] represented by a bounded spatial region on said display."

The Examiner, however, then attempts to argue that Christel's indication that a user can adjust the compression ratio, thereby creating *new, different-sized bounded segments* each centered around a respective match location, discloses the limitations of a user "selecting" one of the plurality of segments and subsequently being presented with the selected segment and not another segment. Claim 1, however, does not permit such an interpretation, because the Examiner ignores the antecedent relationship between the selected "said" segment" and the presented and not presented "said" segments. Christel's disclosure of a compression ratio selector, by which a user may alter the boundaries of displayed segments, to be included in a summary, is not a selection of any of the bounded segments defined by the claims. If anything, a user adopting a new compression ratio is a rejection of those segments. Once the new

compression ratio is input, those previous segments are replaced by new segments, all of which are then shown in the summary.

The Examiner's mistake lies in not attaching significance to the claimed *antecedent* reference in the limitations of "receiving from said user, by interaction with said graphical user interface, a selection of one of *said* plurality of segments" and "in response to said selection, presenting a selected one of *said* plurality of segments." Once the Examiner has read the initial limitation of a "plurality of segments" each "represented by a bounded spatial region" on a display, upon Christel's segments shown in FIG. 5, then the Examiner must show a disclosure in Christel that one of *those* segments, with *those* bounded spatial regions, is selected and presented to the exclusion of other displayed bounded segments. The Examiner has not done so. Instead, the Examiner cites to an irrelevant portion of Christel that allows a user to create *new* segments, with *new* bounded regions, and present *all* of the new segments. Thus, contrary to the Examiner's assertion, Christel fails to disclose the limitations added in the applicant's prior RCE.

Second, the Examiner has failed to address applicant's argument of record that no cited prior art reference discloses either the desirability *or the capability* of the claim limitation "displaying to a user said relative location for a first semantic characterization of a said sports play in said video using a first visual indication and displaying said relative location for a second semantic characterization of a said sports play in said video using a second visual indication different from said first visual indication." The applicant's argument was directed to the actual, specific limitation claimed in independent claim 1. The Examiner sidesteps this argument by merely alleging that (1) Christel's video skims might include news segments that in turn include sports plays; (2) that Vasconcelos discloses the desirability of distinguishing the *highly generic* semantic content of one segment from the semantic content of another; and (3) that Ahmad discloses that content with different characteristics can be visually distinguished from each other. All of these points miss the applicant's argument entirely.

Christel's video skims are constructed by a specific method that looks to the audio content corresponding video segments to try to match frames and segments to a specific user query about what the user desires to watch. Thus, Christel requires particular types of video (e.g. documentary or news broadcasts) that have a close correlation between what is said in the audio and what is then shown in the video segment temporally corresponding to the audio.

Vasconcelos, on the other hand, seeks to categorize the visual characteristics of video shots directly, i.e. inferring an action shot from fast movement, dialogue shots from little movement with face tones, nature shots from earth tones, etc. Thus, not only does Vasconcelos disclose techniques (video analysis) irrelevant to the method of Christel (audio recognition) but Vasconcelos readily admits that none of the techniques disclosed therein are sufficient to characterize a video shot at the level of detail required for use in the query-matching method of Christel. In other words, even supposing that a user of Christel would input a query seeking “slam dunk” shots or “fast break shots”, the method of Vasconcelos would be unable to differentiate shots at that level of detail because the best Vasconcelos could do would be to find shots with lots of movement or shots with crowds in them. Neither of these features would remotely allow the system of Christel to distinguish one semantic characterization of a play from another.

This naturally begs the question – how could Vasconcelos signal to one of ordinary skill in the art the obviousness of modifying Christel to distinguish one semantic characterization of a play from another, when neither Vasconcelos nor Christel provides the technical means of doing so? *That* was applicant’s argument in the prior RCE. It was not generically, as stated by the Examiner, “that video content containing plays related to sports is not obvious in view of the disclosure within Christel” (see Office Action at p. 24). This purported restatements of applicant’s arguments are gross oversimplifications, and in fact, the applicant readily acknowledged that some of Christel’s video skims might be of news broadcasts including plays.

The Examiner’s rejection is based on the type of hindsight reconstruction expressly forbidden, i.e. the Examiner is not beginning from the primary reference and prospectively asking what are obvious variants as suggested by the secondary references; instead the Examiner is apparently using the applicant’s claim as a template to cherry-pick those words, phrases, and drawings of the prior art to combine to arrive at the claimed invention, and then simply making conclusory statements about the obviousness of combining the references while ignoring the actual technical disclosures of the cited references.

For each of the foregoing reasons, claim 1, as well as its dependent claims 2-7 and 9-28 patentably distinguish over the cited prior art, and the applicant respectfully requests that the rejection of these claims be withdrawn.

Each of independent claims 29 and 56 include the limitations of “displaying to a user at least one selector by which said user may interact with said interactive display to select . . . selective identified ones of said plurality of segments;” “receiving user-selections of identified ones of said plurality of segments;” and “presenting user-selected ones of said plurality of different segments”. Thus claims 29-34, 36, 37, 39-56, and 58-86 also patentably distinguish over the cited prior art for the same reasons as independent claim 1.

In view of the foregoing remarks, the applicant respectfully requests reconsideration and allowance of claims 1-7, 9-34, 36, 37, 39-56, and 58-86.

Respectfully Submitted



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